

92 a shaft having a first end and a second end;
a first lumen in the shaft passing to a first opening in the shaft; and
a second lumen passing to a second opening in the shaft, the first lumen and the second
lumen being simultaneously accessible from the first end of the shaft. –

REMARKS

The Applicants thank the Examiner for the attention to this matter, and respectfully suggest that the identified art neither anticipates nor serves as the proper basis for an obviousness rejection. Reconsideration of the pending application is, therefore, respectfully requested.

The Examiner withdrew claims 10-14, 24-27, and 29-31 from consideration in the Office Action, and rejected claims 1-9, 15-23, 28, and 32.

The Rejection of claims 3 and 4 under Section 112

Claims 3 and 4 stand rejected under 35 U.S.C. § 112 as lacking antecedent basis for the term “the shaft.” Claim 1 has been amended to provide such antecedent basis, and Applicants respectfully request that the rejection be withdrawn.

The Rejection of claims 1-2, 15-16, 28-29, and 32 under Section 102 over Ginsburg

Claims 1-2, 15-16, 28-29, and 32 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 4,769,005 to Ginsburg et al. (hereinafter “Ginsburg”). Claims 1, 15, and 28 are the independent claims of this group.

Claim 1 recites a system for delivering a guide that comprises a first guidewire and a second guidewire, each configured to extend through a respective lumen. Claim 15 as amended recites a delivery catheter having a shaft with a first end and a second end, and having two lumens that are simultaneously accessible from the first end of the shaft. Claim 28 recites a method of catheterizing that comprises inserting a first guide wire into a first lumen of a catheter shaft and providing a second guide wire into a second lumen of the shaft. Ginsburg does not teach or even suggest any such configuration. The device in Ginsburg instead has a “seal cap 40” that allows only one object to be placed in one lumen at a time. The seal cap is specifically

arranged to prevent the use of two different guidewires, as is recited in pending claim 1. The Ginsburg patent states: "The seal cap 40 includes a single port 44.... When aligned with one lumen, the cap seals the remaining lumens to prevent blood loss and contamination through said remaining ports." (Ginsburg, Col. 3, lines 44-49.) Thus, Ginsburg does not teach or even suggest the use of multiple guidewires in multiple lumens. Instead, it teaches just the opposite: sealing up all but the single lumen currently in use. As a result, the Applicants respectfully request that the rejection of claims 1-2, 15-16, 28-29, and 32 be withdrawn.

The Rejection of claims 3-9 and 17-23 under Section 103 over Ginsburg and Mukherjee

Claims 3-9 and 17-23 stand rejected under 35 U.S.C. § 103 as obvious over Ginsburg in light of U.S. Patent 6,022,342 to Mukherjee (hereinafter "Mukherjee"). In general, these claims address features of the radiopaque indicator.

As an initial matter, each of these claims depends on either claim 1 or claim 15, and Mukherjee does nothing to fill in the teachings that are lacking in Ginsburg, which features are discussed above. For this reason alone, the Applicants request that the rejection be withdrawn.

Each of the rejected claims is patentable for additional reasons also. In particular, claims 3 and 17 explicitly recite that the radiopaque indicators comprise "at least one stud." Mukherjee simply mentions radio-opaque "markers," but does not indicate in any manner the form that the markers would take. In addition, neither Ginsburg nor Makherjee teaches or suggests the particular forms of markers recited in the other pending claims. As a result, the Applicants respectfully submit that claims 3-9 and 17-23 are in condition for allowance.

In view of the above, reconsideration and withdrawal of the cited rejections are requested, and allowance of claims 1-9, 15-23, 28, and 32 at an early date is solicited.

If questions remain regarding the above, please contact the undersigned.

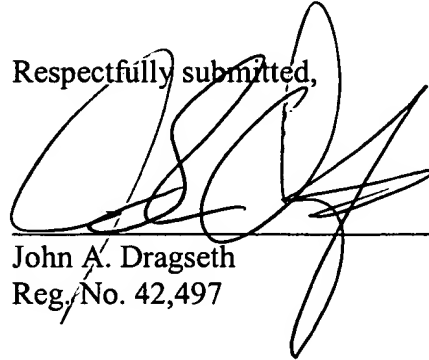
Attached is a marked-up version of the changes being made by the current amendment.

Applicant : DAVID R. HOLMES et al.
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Version with markings to show changes made

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in the claims:

Claims 1 and 15 have been amended as follows:

-- 1. A system for delivering a guide wire to an artery and a side branch vessel of the artery, the system comprising:

a catheter defining a shaft having a circumference, a first lumen with a first opening and a second lumen with a second opening;

a first guide wire configured to extend through the first lumen; and

a second guide wire configured to extend through the second lumen,

wherein the first opening is configured to direct the first guide wire into the side branch vessel, and the second opening is configured to direct the second guide wire into the artery.

15. A delivery catheter configured to deliver a first guide wire to an artery and a second guide wire to a side branch vessel of the artery, the delivery catheter comprising:

a shaft having a first end and a second end;

a first lumen in the shaft passing to a first opening in the shaft; and

a second lumen passing to a second opening in the shaft, the first lumen and the second lumen being simultaneously accessible from the first end of the shaft. --